

REMARKS

The Examiner requests another copy of the Supplemental Information Disclosure Statement previously submitted on January 7, 2002. The drawings are objected to under 37 C.F.R. § 1.83(a). Claims 1-6 are rejected under 35 U.S.C. § 103(a) over “A Modified Percutaneous Outpatient Bladder Neck Suspension System” by Theodore V. Benderev (“Benderev”) in view of European Patent Application No. 90313758.6 by Foster (“Foster”). Claims 7-9 are allowed.

Applicant hereby amends claims 1 and 7, and adds new claim 10. No new matter has been added thereby. Support can be found in the originally-filed application at, for example, pages 10 and 12.

Applicant resubmits herewith a copy of the previously submitted Supplemental Information Disclosure Statement (with a copy of the return receipt postcard indicating receipt of the original documents by the USPTO on January 7, 2002) including copies of the cited references. Applicant also submits a Second Supplemental Disclosure Statement (IDS) for the first time. Applicant requests that initialed copies of the 1449 forms for each of the three submitted IDS's be provided with the next communication from the Patent Office. (The first IDS was submitted with the filing of the application on June 5, 2001.)

Applicant submits herewith revised Figures 2, 2A, 2B, and 2C. Applicant encloses revised Figures 2, 2A, 2B, and 2C with the proposed amendments shown in red ink, in accordance with MPEP 608.02(v). No new matter is added to the application by these amendments. Support for these amendments can be found at least at page 10, paragraphs [0036] and [0037] of Applicant's specification. Applicant requests approval and entry of these amendments to Figures 2, 2A, 2B, and 2C.

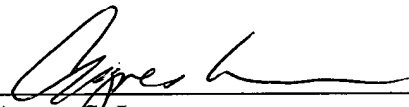


Applicant submits that Benderev and Foster, alone or in combination, do not teach or suggest the subject matter recited in amended claim 1. Neither Benderev nor Foster teaches or suggests a grasping mechanism including a movable element that includes a cutting edge. Given that each of these two references fails to teach or suggest at least this aspect of amended claim 1, any combination of these two references could not possibly have resulted in the instrument of amended claim 1. Because original claims 2-6 and new claim 10 depend directly or indirectly from amended independent claim 1, these claims also are allowable over Benderev and Foster.

CONCLUSION

In view of the foregoing, Applicant requests approval and entry of these amendments, reconsideration, and allowance of claims 1-10 in due course.

Respectfully submitted,



Agnes S. Lee
Reg. No. 46,862
Attorney for the Applicant

Date: February 27, 2004

Ropes and Gray LLP
One International Place
Boston, MA 02110
Tel. No.: (617) 951-7000
Fax No.: (617) 951-7050



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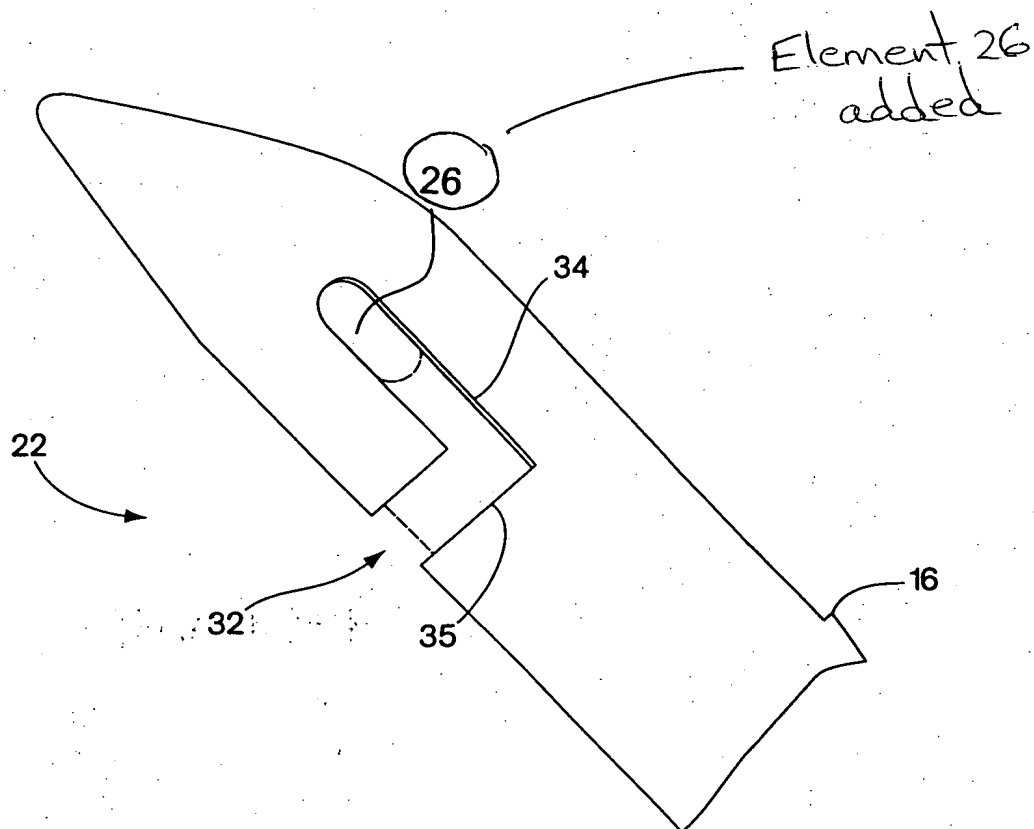


Fig. 2

Element 26
added

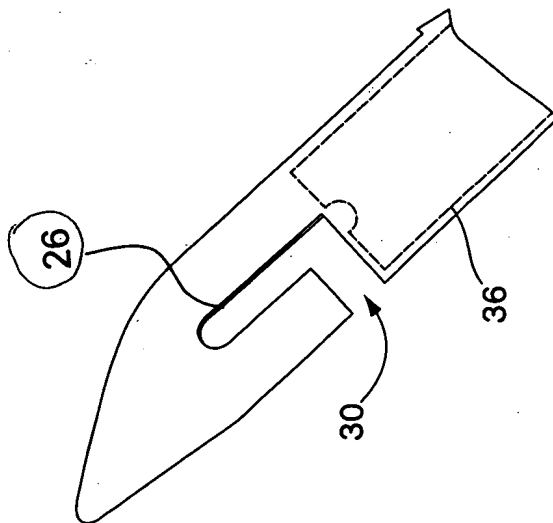


Fig. 2A

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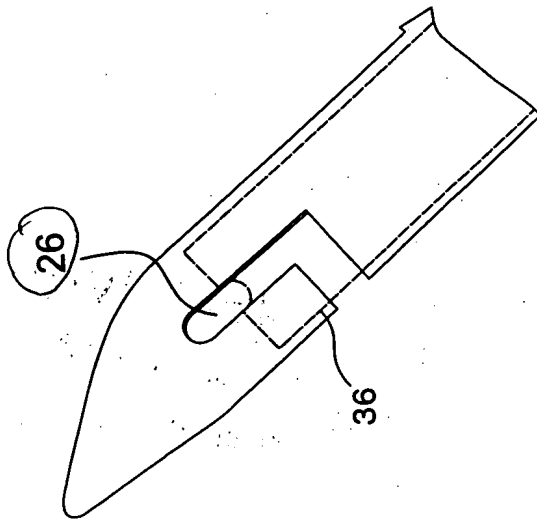


Fig. 2B

Element 26
added

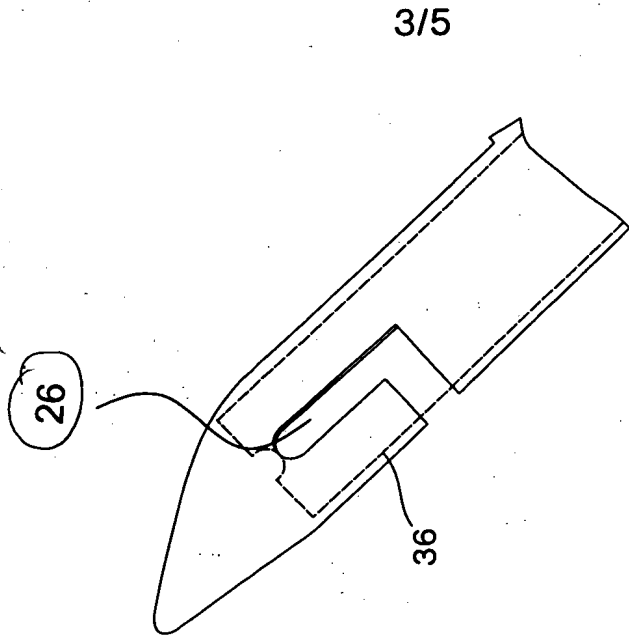


Fig. 2C